

House Study Bill 161 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to the duties and operations of the state's
2 community colleges.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8A.318, subsection 3, paragraph c, Code
2 2011, is amended to read as follows:

3 c. A school district, community college, or institution
4 under the control of the state board of regents may, based upon
5 the evaluation and assessment conducted pursuant to paragraph
6 "b", opt out of compliance with the requirements of this section
7 upon the affirmative vote of a majority of the members of the
8 board of directors of the school district or a determination by
9 the president of the community college or by the president or
10 administrative officer of the regents institution. A school
11 district, community college, or regents institution opting
12 out of compliance pursuant to this paragraph shall notify the
13 department of education, the state board ~~for community colleges~~
14 of education, or the state board of regents, ~~respectively as~~
15 appropriate, of this decision.

16 Sec. 2. Section 16.162, Code 2011, is amended to read as
17 follows:

18 **16.162 Authority to issue community college dormitory bonds**
19 **and notes.**

20 The authority shall assist a community college or the state
21 board ~~for community colleges~~ of education as provided in
22 chapter 260C, and the authority shall have all of the powers
23 delegated to it in a chapter 28E agreement by a community
24 college board of directors, the state board ~~for community~~
25 ~~colleges~~ of education, or a private developer contracting with
26 a community college to develop a housing facility, such as
27 a dormitory, for the community college, with respect to the
28 issuance or securing of bonds or notes as provided in sections
29 260C.71 and 260C.72.

30 Sec. 3. Section 22.7, subsection 1, Code 2011, is amended
31 to read as follows:

32 1. Personal information in records regarding a student,
33 prospective student, or former student maintained, created,
34 collected or assembled by or for a school corporation or
35 educational institution maintaining such records. This

1 subsection shall not be construed to prohibit a postsecondary
2 education institution from disclosing to a parent or guardian
3 information regarding a violation of a federal, state, or
4 local law, or institutional rule or policy governing the use
5 or possession of alcohol or a controlled substance if the
6 child is under the age of twenty-one years and the institution
7 determines that the student committed a disciplinary violation
8 with respect to the use or possession of alcohol or a
9 controlled substance regardless of whether that information is
10 contained in the student's education records. This subsection
11 shall not be construed to prohibit a school corporation or
12 educational institution from transferring student records
13 electronically to the department of education, an accredited
14 nonpublic school, an attendance center, a school district, or
15 an accredited postsecondary institution in accordance with
16 section 256.9, subsection 47.

17 Sec. 4. Section 256.7, subsection 14, Code 2011, is amended
18 to read as follows:

19 ~~14. Adopt rules which require~~ Require each community
20 college which establishes a new jobs training project or
21 projects and receives funds derived from or associated with
22 the project or projects to establish a separate account to act
23 as a repository for any funds received ~~and to report annually,~~
24 ~~by January 15, to the general assembly on funds received and~~
25 ~~disbursed during the preceding fiscal year in the form required~~
26 ~~by the department.~~

27 Sec. 5. Section 256.7, subsection 23, Code 2011, is amended
28 to read as follows:

29 23. Adopt rules directing the community colleges to
30 annually and uniformly submit data from the most recent fiscal
31 year to the division of community colleges and workforce
32 preparation, using criteria determined and prescribed by the
33 division via the management information system.

34 a. Financial data submitted to the division by a community
35 college shall be broken down by fund.

1 b. Community colleges shall provide data to the division
2 by a deadline set by the division. The deadline shall be set
3 for a date that permits the division to include the data in
4 a report submitted for state board approval and for review
5 by December 15 of each year by the house and senate standing
6 education committees and the joint subcommittee on education
7 appropriations.

8 c. The department shall include a statewide summary of the
9 financial data submitted in accordance with paragraph "a" in
10 the annual condition of community colleges report, which upon
11 approval of the state board, shall be submitted to the general
12 assembly on or before February 1 of each year.

13 Sec. 6. Section 259A.3, Code 2011, is amended to read as
14 follows:

15 **259A.3 Notice and fee.**

16 Any applicant who has achieved the minimum passing standards
17 as established by the department, and approved by the state
18 board, shall be issued a high school equivalency diploma by the
19 department upon payment of an additional ~~five dollars~~ amount
20 determined in rules adopted by the state board of education
21 to cover the actual costs of the production and distribution
22 of the diploma. The state board of education may also by
23 rule establish a fee for the issuance or verification of a
24 transcript which shall be based on the actual costs of the
25 production or verification of a transcript.

26 Sec. 7. Section 260C.4, unnumbered paragraph 1, Code 2011,
27 is amended to read as follows:

28 The state board ~~for community colleges~~ shall:

29 Sec. 8. Section 260C.48, subsection 2, Code 2011, is amended
30 to read as follows:

31 2. Standards developed shall include a provision that
32 the ~~standard academic workload~~ full-time teaching load
33 for an instructor in arts and ~~science~~ sciences courses
34 shall be fifteen credit hours per ~~school term~~ semester, or
35 the equivalent, and the maximum academic workload ~~for any~~

1 ~~instructor shall be sixteen credit hours per school term,~~
2 ~~for classes taught during the normal school day semester, or~~
3 ~~the equivalent. In addition thereto, any faculty member may~~
4 ~~teach a course or courses at times other than the regular~~
5 ~~school week, involving total class instruction time equivalent~~
6 ~~to not more than a three-credit-hour course. The total~~
7 ~~workload for such instructors shall not exceed the equivalent~~
8 ~~of eighteen credit hours per school term. An instructor may~~
9 ~~also have an additional teaching assignment if the instructor~~
10 ~~and the community college administration mutually consent to~~
11 ~~the additional assignment and the total teaching load does~~
12 ~~not exceed twenty-two hours of credit per semester, or the~~
13 ~~equivalent.~~

14 Sec. 9. Section 260C.71, subsection 2, Code 2011, is amended
15 to read as follows:

16 2. The authority shall cooperate with the state board ~~for~~
17 ~~community colleges~~, individual community colleges, and private
18 developers, acting in conjunction with a community college
19 to build housing facilities in connection with the community
20 college, in the creation, administration, and funding of a
21 community college dormitory bond program to finance housing
22 facilities, such as dormitories, in connection with a community
23 college.

24 Sec. 10. Section 260C.72, subsection 1, paragraph a,
25 subparagraphs (2), (3), (4), and (6), Code 2011, are amended
26 to read as follows:

27 (2) From the net rents, profits, and income which has
28 not been pledged for other purposes arising from any similar
29 housing facility under the control and management of the
30 community college or state board ~~for community colleges~~.

31 (3) From the fees or charges established by the community
32 college or state board ~~for community colleges~~ for students
33 attending the institution who are living in the housing
34 facility for which the obligation was incurred.

35 (4) From the income derived from gifts and bequests made to

1 the institutions under the control of the community college or
2 state board ~~for community colleges~~ for such purposes.

3 (6) From the amounts payable to the authority, the community
4 college board of directors, the state board ~~for community~~
5 ~~colleges~~, or a private developer or operator, pursuant to a
6 loan agreement, lease agreement, or sale agreement.

7 Sec. 11. Section 261E.8, subsection 5, Code 2011, is amended
8 by striking the subsection.

9 Sec. 12. Section 262.9, subsection 33, unnumbered paragraph
10 1, Code 2011, is amended to read as follows:

11 In consultation with the state board ~~for community colleges~~
12 ~~established pursuant to section 260C.3 of education~~, establish
13 and enter into a collective statewide articulation agreement
14 with the community colleges established pursuant to chapter
15 260C, which shall provide for the seamless transfer of academic
16 credits from a completed associate of arts or associate of
17 science degree program offered by a community college to a
18 baccalaureate degree program offered by an institution of
19 higher education governed by the board. The board shall also
20 do the following:

21 Sec. 13. Section 266.39C, subsection 2, paragraph a,
22 subparagraph (5), Code 2011, is amended to read as follows:

23 (5) One representative of community colleges, appointed by
24 the state board ~~for community colleges~~ of education.

25 Sec. 14. Section 321J.3, subsection 1, paragraph c, Code
26 2011, is amended to read as follows:

27 c. The court may prescribe the length of time for the
28 evaluation and treatment or it may request that the community
29 college or other approved provider conducting the course
30 for drinking drivers which the person is ordered to attend
31 or the treatment program to which the person is committed
32 immediately report to the court when the person has received
33 maximum benefit from the course for drinking drivers or
34 treatment program or has recovered from the person's addiction,
35 dependency, or tendency to chronically abuse alcohol or drugs.

1 Sec. 15. Section 321J.17, subsection 2, paragraph b, Code
2 2011, is amended to read as follows:

3 *b.* The court or department may request that the community
4 college or substance abuse treatment providers licensed under
5 chapter 125 or other approved provider conducting the course
6 for drinking drivers that the person is ordered to attend
7 immediately report to the court or department that the person
8 has successfully completed the course for drinking drivers.
9 The court or department may request that the treatment program
10 which the person attends periodically report on the defendant's
11 attendance and participation in the program, as well as the
12 status of treatment or rehabilitation.

13 Sec. 16. Section 321J.22, subsection 1, Code 2011, is
14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. *0a.* "*Approved provider*" means a provider of
16 a course for drinking drivers offered outside this state which
17 has been approved by the department of education.

18 Sec. 17. Section 321J.22, subsection 2, Code 2011, is
19 amended by adding the following new paragraph:

20 NEW PARAGRAPH. *0d.* The department of education may approve
21 a provider of a course for drinking drivers offered outside
22 this state upon proof to the department's satisfaction that the
23 course is comparable to those offered by community colleges,
24 substance abuse treatment programs licensed under chapter 125,
25 and state correctional facilities as provided in this section.
26 The department shall comply with the requirements of subsection
27 5 regarding such approved providers.

28 Sec. 18. REPEAL. Section 256.31, Code 2011, is repealed.

29 Sec. 19. REPEAL. Section 260C.3, Code 2011, is repealed.

30 EXPLANATION

31 This bill makes miscellaneous changes to Code provisions
32 relating to community colleges as follows:

33 CONFIDENTIAL RECORDS. Code section 22.7(1) is amended
34 to establish that the provision does not prohibit a school
35 corporation or educational institution from transferring

1 student records electronically to other school corporations or
2 educational institutions in accordance with the department of
3 education's comprehensive management information system and
4 uniform coding and reporting system.

5 COMMUNITY COLLEGE COUNCIL. Code section 256.31, which
6 establishes a community college council to assist the state
7 board of education with issues related to community colleges
8 and prepare a five-year statewide strategic plan, is repealed.

9 HIGH SCHOOL EQUIVALENCY DIPLOMA FEE. Code section 259A.3
10 is amended to replace the \$5 fee the department of education
11 charges for issuance of a high school equivalency diploma with
12 an amount to be determined by the state board of education to
13 cover the costs of producing and distributing the diploma. The
14 bill also permits the state board to establish a fee for the
15 issuance or verification of a transcript based on the actual
16 costs of production or verification of a transcript.

17 STATE BOARD FOR COMMUNITY COLLEGES. Code section 260C.3
18 states that the state board of education constitutes the
19 state board for community colleges. The bill repeals the
20 Code section and amends Code sections 8A.318, 16.162, 260C.4,
21 260C.71, 260C.72, 262.9, and 266.39C to replace references to
22 the state board for community colleges with references to the
23 state board of education.

24 APPROVED COURSES FOR DRINKING DRIVERS. Code sections 321J.3
25 and 321J.17 are amended to include as providers of drinking
26 driver courses supervised and approved by the department of
27 education "other approved providers", which the bill defines
28 in Code section 321J.22 as providers of courses offered
29 out of state. The providers of out-of-state courses must
30 prove to the department's satisfaction that the course is
31 comparable to those offered by community colleges and substance
32 abuse treatment programs. The bill establishes that other
33 approved providers may be requested to meet the same reporting
34 requirements as the community colleges and substance abuse
35 treatment programs.

1 REPORTS. The bill eliminates the requirement from Code
2 section 256.7(14) that each community college which establishes
3 a new jobs training project and receives funds from the project
4 report by January 15 annually to the general assembly on the
5 funds received and disbursed. Code section 256.7(23) is
6 amended to add a requirement that the department of education
7 include in its annual condition of community colleges report a
8 statewide summary of the financial data it receives from the
9 community colleges and to submit the report to the general
10 assembly on or before February 1.

11 TEACHING LOAD LIMITS. Code section 260C.48 is amended
12 to provide that the full-time teaching load, rather than the
13 standard academic workload, for arts and sciences instructors
14 is 15 credit hours, with a maximum academic workload of 16
15 credit hours. Also, the bill strikes language that permits
16 a faculty member to teach a course at times other than the
17 regular school week for not more than a three-credit-hour
18 course, not to exceed 18 credit hours, and replaces it
19 with language that instead permits an instructor to have an
20 additional teaching assignment provided that (1) both the
21 community college and the instructor mutually consent to the
22 additional assignment and (2) the total teaching load does not
23 exceed 22 credit hours.

24 TRANSPORTATION OF A STUDENT UNDER A DISTRICT-TO-COMMUNITY
25 COLLEGE SHARING OR CONCURRENT ENROLLMENT PROGRAM. Code
26 section 261E.8(5), which requires the parent or legal guardian
27 of a student who is attending a community college under a
28 district-to-community college sharing or concurrent enrollment
29 program to furnish transportation to and from the community
30 college for the student, is stricken.